



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Seventieth session**

Summary record of the 1607th meeting

Held at the Palais des Nations, Geneva, on Thursday, 5 July 2018, at 3 p.m.

Chair: Ms. Leinarte

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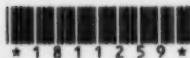
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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

*Fifth periodic report of Liechtenstein (continued) (CEDAW/C/LIE/5;
CEDAW/C/LIE/QPR/5)*

1. *At the invitation of the Chair, the delegation of Liechtenstein took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Mr. Schädler** (Liechtenstein), concerning the question raised about mediation and the national police, said that a whole network of professionals came into play in cases of domestic violence, not just the police. In domestic violence cases involving asylum seekers, a copy of the police report was transmitted to both the Office of the Public Prosecutor and the Migration and Passport Office. Where children were involved, a copy was also transmitted to the Office of Social Affairs for the sake of the health or well-being of the child. In addition, a crisis intervention team was on hand to provide psychological support. Victims were informed of the available services. Counselling was available for perpetrators of domestic violence as well.

3. **Mr. Bergby** said that, while it was reassuring that the State party's reasons for not joining the International Labour Organization (ILO) and ratifying its core conventions were unrelated to the content of the conventions, it would be interesting to know whether labour standards in Liechtenstein were as high as in ILO conventions and whether the spirit of those instruments was taken into account in drawing up employment legislation. It would also be interesting to know whether there were any areas where the conventions provided greater safeguards than national law and whether the working conditions of migrant domestic workers were regulated in the same manner as other domains.

4. Noting that 7 per cent of the gender pay gap in Liechtenstein could not be explained by factors such as training and industry type and that women had lower pensions because they were paid less from the start of their career, he wished to know how the State party intended to enforce the principle of equal pay for work of equal value. He also wished to know whether it planned to check collective bargaining agreements to ensure that they were not discriminatory and to set up an online pay calculator that would be fed with independent, reliable and transparent data. In the light of the number of women who left the job market after having children, he would appreciate information on plans to increase the amount of paid maternity leave, introduce paternity leave and promote flexible working arrangements for both parents.

5. **Ms. Hofmeister** said that, as women's sexual and reproductive health was tied to several human rights, it was essential that the relevant health-care services were available, universally accessible and of good quality. She was perplexed by the 2015 amendment of the Criminal Code, which appeared to decriminalize access to abortion but not the performance of the procedure. She wished to know how many abortions had been performed since the law was amended to decriminalize abortion on certain grounds, how many requests for abortion had been denied and how many women had travelled abroad to undergo an abortion. Similarly, it would be useful to know what steps were being taken to prevent teenage pregnancies, how many early pregnancies had been recorded since 2011 and whether contraceptives were available free of charge or were covered by basic insurance, including for female domestic workers in private households.

6. Intersex genital mutilation was a harmful practice under the Convention but was still performed in Europe, including in the State party, and had been criticized by the Committee and the Committee against Torture. Liechtenstein, by paying for the procedure and entering into contracts with the foreign hospitals where the procedure was performed on its nationals, was in breach of its extraterritorial obligations. Accordingly, she wished to know what urgent steps the State party intended to take to end such a serious and structural violation of human rights and change its relevant health policy. In addition, she would

appreciate receiving data spanning the past 10 years in order to ascertain what progress had been made in the State party.

7. Noting some alarming trends, especially among girls, with regard to alcohol, tobacco and cannabis consumption and excessive video gaming, she said that health care for children and young people should include addiction prevention programmes. Therefore, she would appreciate the delegation's comments on the steps being taken to reverse those trends, preserve the physical and mental health of young people and promote safe Internet use. It would also be interesting to know what was being done to regulate online gambling.

8. **Ms. Kranz** (Liechtenstein) said that the public school system was of a very high standard, and girls generally outperformed their male peers, in particular at the upper secondary level. Furthermore, 70 per cent of children with special needs were boys. However, it was true that migrant girls and women were at a disadvantage, which was the reason why counselling had been made available. The country's population and size made it easier to identify pupils who were at risk of dropping out of school and provide them with the necessary personalized counselling and mentoring. Given that most students went abroad after completing their compulsory education, it was difficult to monitor their educational achievement owing to restrictions on the exchange of data between countries due to privacy concerns. Nevertheless, Liechtenstein was currently negotiating with the Swiss authorities to allow closer tracking of students at the upper secondary level and above. It was also true that women were underrepresented at Liechtenstein universities, accounting for less than 40 per cent of the student body. However, national statistics were not indicative of reality as the limited course offering meant that 95 per cent of students studied in foreign universities.

9. She was pleased to inform the Committee that a new national education monitoring report was under development. Annual testing was already conducted in mathematics, German and English. Any discrepancies in performance along gender lines were scrutinized and acted upon where appropriate. However, the tests revealed only minor differences and only in mathematics and German; boys tended to be stronger in the former while girls performed better in the latter, a common outcome in other countries as well. Measures were nonetheless taken to attract young women to science, technology, engineering and mathematics (STEM) and children were encouraged at an early age to make educational choices based on their interests and abilities rather than on their gender. The pepperMINT experimentation laboratory, whose purpose was to interest children in science, had seen impressive growth in its first year and offered a number of projects tailored to girls. The pepperMINT instructors were chiefly young women.

10. **Mr. Frick** (Liechtenstein) said that, owing to its small size, Liechtenstein had chosen to focus its resources on the United Nations, the World Trade Organization, the Council of Europe and other organizations it considered a priority. Although there were no plans to join ILO in the near future, Liechtenstein considered its labour standards to be very high. Indeed, as a member of the European Economic Area, it had had to incorporate all directives into its national legislation, including those on the progressive implementation of the principle of equal treatment for men and women in matters of social security, self-employment and access to goods and services. Migrant workers enjoyed the same labour rights as anyone else in Liechtenstein, were covered by collective bargaining agreements and were subject to the same conditions, including with regard to termination.

11. **Ms. Walch** (Liechtenstein) said that all migrant workers, except for Swiss nationals, required work permits. When applications for such permits were filed at the Migration and Passport Office, the applicants' employment contracts were checked to ensure that their salaries complied with labour legislation and the relevant collective employment agreement. A specific commission was responsible for checking whether employers complied with the rules contained in collective employment agreements, which also applied to migrant workers. In 2017, the Government had implemented Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers, which had further strengthened the rights of migrant workers.

12. **Mr. Frick** (Liechtenstein) said that, in 2016, the gender pay gap for women and men aged between 20 and 24 years had stood at only 0.2 per cent. However, the Government acknowledged that, in general terms, a gender pay gap continued to exist although it had fallen slightly between 2014 and 2016.

13. According to the results of two surveys on wages in the civil service, carried out in 2007 and 2012, no wage discrimination existed in that sector. The Progressive Citizens' Party, which held a majority in the Government and in the parliament, had recently raised a parliamentary question on the gender pay gap to which the Government was required to respond before the end of 2018. The aim of the question was to determine the reasons behind the pay gap, what steps were being taken to address it and what measures other States were taking in that regard. Under the Gender Equality Act, women subjected to wage discrimination were able to take legal action against their employers.

14. **Ms. Wiczorek** (Liechtenstein) said that, in 2017, the Working Group on Family Policy had conducted a survey in which parents had been asked to express their views on parental leave. The results of that survey, which were currently being evaluated by the Working Group, would inform any future policies on parental leave.

15. Criminal charges were no longer brought against women who had abortions, including abortions performed abroad, and physicians were no longer punished for carrying out abortions under the circumstances provided for by law. According to figures provided by the Liechtenstein Association of Sickness Insurance Funds, 12 of the abortions performed in 2017 had been covered by compulsory health insurance. The Sophie von Liechtenstein Foundation, which provided counselling services to pregnant women, had informed the Government that around 40 women had abortions, miscarriages or stillbirths each year.

16. A counselling office provided advice to pregnant women, their partners and families, women who had miscarriages or stillbirths and women suffering from post-natal depression. The office also undertook actions aimed at preventing unwanted pregnancy and employed experienced midwives who provided advice on the rights of pregnant women, financial matters relating to pregnancy and childbirth, childcare and returning to work after giving birth.

17. All women in Liechtenstein, irrespective of their age or nationality, had access to contraception. Although condoms could be bought in shops, all other forms of contraception could be obtained only through medical prescription following a prior consultation with a doctor. Contraception was not free of charge but was covered by compulsory health insurance, to which all individuals, including women refugees and asylum seekers, were required to subscribe.

18. **Mr. Frick** (Liechtenstein) said that no data was currently collected on the prevalence of intersexuality in Liechtenstein. On the basis of data provided by neighbouring countries, it was estimated that approximately 1 out of every 4,000 children born in Liechtenstein was intersexual and that some 10 intersex persons were currently living in the country. Owing to the fact that paediatricians in Liechtenstein did not have sufficient experience of treating intersex children, such children were generally referred to specialists in Switzerland or Austria. Psychological support, covered by health insurance, was available for intersex adults and intersex children and their parents. The cost of seeking treatment abroad was also covered by compulsory health insurance.

19. **Ms. Kranz** (Liechtenstein) said that school social workers and psychologists undertook actions to prevent the abuse of drugs, alcohol and tobacco by adolescents in lower secondary school. Prevention projects and actions were conducted on a regular basis at several levels of the school system. School social workers cooperated closely with the Office of Social Affairs to support adolescents identified as having severe problems with substance and alcohol abuse.

20. **Mr. Bergby** said that, in view of the fact that educational levels among young women were generally high, the Committee was surprised to note that there was a gender wage gap for men and women aged between 20 and 24 years. Although the Committee acknowledged that the pay gap in the civil service, which stood at over 20 per cent, was not

the result of direct discrimination, it urged the Government to take measures to reduce it. Where flexible working arrangements were concerned, the Committee recommended that women should be given the right to reduce the number of hours that they worked rather than the total amount of leave that they took. The Committee would welcome further information on reports that women had been dismissed from their jobs on the day that they returned from maternity leave.

21. **Ms. Eghobamien-Mshelia** said that she wished to know whether female students who went abroad to study at higher education institutions returned to Liechtenstein to find work. Noting that schools used the services provided by the pepperMINT experimentation laboratory on a voluntary basis, she would appreciate further information on the number of schools that used those services and whether the laboratory was fulfilling its intended purpose. Lastly, she asked whether recruitment drives were carried out to enable women graduates to find good jobs in the private sector and thereby encourage other women to pursue higher education.

22. **Ms. Ameline**, noting that flexible working arrangements and other measures that benefited parents had been introduced in the banking sector, said that she wished to know what steps were being taken to ensure that employees in other sectors could benefit from such arrangements, which were necessary to ensure that women who had children did not fall behind men on the career ladder. The Committee would welcome further information on measures taken to ensure that migrant children were integrated into the education system.

23. **Mr. Frick** (Liechtenstein) said that the gender pay gap for persons aged between 20 and 24 years was so small as to be insignificant. The delegation was unaware of any cases in which women had been dismissed from their jobs after returning to work from maternity leave.

24. **Ms. Wieczorek** (Liechtenstein) said that the Liechtenstein Chamber of Commerce and Industry worked with its member companies to increase the availability of flexible working arrangements, part-time work and telecommuting. Some employers provided their own childcare facilities while others helped their employees to find childcare elsewhere. The Working Group on Family Policy was examining ways of better managing the demand and supply of childcare services.

25. Part-time positions in the civil service had been available for many years. Currently, some 30 per cent of civil servants worked on a part-time basis. Measures were being taken to raise employees' awareness of their right to work part-time, take paid maternity leave and return to work after taking maternity or parental leave.

26. **Mr. Frick** (Liechtenstein) said that there was no gender pay gap at all in the diplomatic service. Furthermore, two wage surveys conducted in 2007 and 2012 had found no wage discrimination.

27. **Ms. Ameline** said that, when men and women started similar careers at the same stage, men would have earned more than women by the end of their careers. Often, that was due to women missing opportunities for promotion owing to family responsibilities.

28. **Mr. Frick** (Liechtenstein) said that women held key positions in the diplomatic service; 50 per cent of the country's ambassadors were women, for example.

29. **Ms. Eghobamien-Mshelia** said that she would appreciate comments on the private sector's commitment to advancing gender equality, the articles of the Convention and other global instruments such as the Sustainable Development Goals, particularly through the corporate social responsibility policy of private companies. She would be interested to learn whether leading companies in Liechtenstein had adopted the United Nations Global Compact principles on gender equality and whether that was evident in the projects that they financed. She wondered which specific sectors had those companies in recent years invested in and to what extent were the investments gender-sensitive. According to alternative sources, 7 per cent of the profit generated by private companies was used to finance overseas development projects. It would be helpful to know to what degree a gender perspective was incorporated into those projects and how many of them actively supported women and promoted their rights. The delegation might wish to mention any

pacts, agreements or memorandums of understanding with international organizations to enable women in Liechtenstein to improve their economic status. To what extent were private companies held accountable when channelling profits towards the express needs of women and girls? She wished to know whether private companies sponsored any sporting activities that catered to the recreational needs of women and, if so, which ones. She wondered whether companies were aware of the "leave no one behind" principle of the Sustainable Development Goals and whether a plan of action or strategy was in place to ensure that women in Liechtenstein were not left behind in economic terms.

30. The services introduced by the Liechtenstein Bankers Association to assist employees in reconciling work and family life was a positive development. However, she wondered whether the services also applied to families outside the banking sector and, if so, how affordable they were to such families and how the services were extended to cover them. She would be interested to hear what policies were in place to safeguard workers outside the banking sector. The delegation might wish to comment on concerns that the financial burden posed by contributions would place the scheme outside the reach of average women and their families.

31. She invited the delegation to elaborate on the Profile+ project run by the non-governmental organization (NGO) Infra Information and Counselling Centre for Women. In particular, it would be helpful to know what financial contribution was required of participants, how many people had benefited to date and what range of services were available to participants. She asked how the needs of low-income women who were unable to contribute were met.

32. The fact that 90 per cent of the beneficiaries in the "Coming Back" programme were women suggested that the social benefits enjoyed by women were inadequate, thereby forcing them to rejoin the labour force in old age. She wished to know whether any economic packages and incentives were available to expand women's economic opportunities and promote businesses led by women. It would also be helpful to learn whether women were involved in procurement and whether they were recruited as suppliers or contractors. What kind of special incentives, business facilitation grants or incubation schemes were available?

33. **Ms. Nadarain** said that she would appreciate information as to how women benefited from the development of mountain agriculture and the extent to which the interests of women involved in that industry were taken into account. She wished to know whether other kinds of sustainable development projects were under way in Liechtenstein and, if so, she would appreciate details of the role women played and the advantages women gained from those projects. She invited the delegation to elaborate, with concrete examples, on the actions of the State party in international advocacy and humanitarian cooperation and development projects to protect and promote the rights of women and girls. Lastly, she would be interested to learn more about the strategies related to the Sustainable Development Goals, in particular the role reserved for women in defining and implementing those strategies.

34. **Ms. Wiczarek** (Liechtenstein) said that only employees in the banking sector benefited from the initiatives to reconcile work and family life. The Government worked with the private sector in establishing a road map towards achieving Goal 5 on gender equality and the empowerment of women and girls.

35. **Mr. Frick** (Liechtenstein) said that, in 2018, the largest company in the industrial sector, Hilti, had held the first dialogue on development in which it had affirmed its commitment to the Sustainable Development Goals. Furthermore, the chief executive officer of private banking and asset management group LGT had done likewise. The Government ran humanitarian and development projects for women that focused on education, entrepreneurship and the economic empowerment of women. Women were offered microcredit and provided with information on how to start their own business and how to draft business plans as part of those projects. The agricultural sector accounted for only a very small proportion of the country's gross domestic product (GDP) and employed very few women.

36. **Ms. Wieczorek** (Liechtenstein) said the fact that the high participation of women in the "Coming Back" programme was a reflection of its success, since the aim was to help reintegrate women into the labour force after taking leave to raise children, for example.

37. **Mr. Matt** (Liechtenstein) said that Geneva Call, which advocated, inter alia, for the protection of women and children in armed conflict, was an example of an NGO that the Government supported.

38. **Ms. Clavadetscher** (Liechtenstein) said that most women's organizations in the country, including the Women's Home, the Human Rights Association and the Parent Child Forum, had a services agreement with the Office of Social Services. The Office provided the organizations with funding on a yearly basis and met with them three to four times every year to assist with any problems and to discuss any current and future projects.

Articles 15 and 16

39. **Ms. Ameline** said that the country had widely approved, via a referendum, a law that had been passed in 2011 recognizing same-sex unions through registered partnerships. She wished to know whether the law had been evaluated and whether there was genuine equality between registered partnerships and traditional marriages. An amendment to the custody law had entered into force in 2015, which sought to take better account of children's best interests and to protect them from domestic violence. Nevertheless, according to alternative sources, the protection of the best interests of the child might, on occasion, come second to having balanced custody arrangements, thereby potentially exposing children to violent parents. She would be interested to learn how custody arrangements were decided upon in divorce cases involving domestic violence. Recalling the Committee's general recommendation No. 29 (2013), she wondered whether the State party had conducted an in-depth evaluation of the economic consequences of divorce, in line with the Committee's recommendation in its previous concluding observations (CEDAW/C/LIE/CO/4, para. 43 (a)). She also wished to know whether the State party envisaged reviewing further its legislation governing the share of inheritance of surviving spouses or registered partners in the light of that general recommendation.

40. **Mr. Frick** (Liechtenstein) said that no evaluation had yet been conducted of the new Registered Partnership Act.

41. **Ms. Wieczorek** (Liechtenstein) said that the welfare of the child was paramount in all court decisions affecting children. In the event of conflict between the child's welfare and the parents' interests, the child's welfare always came first. Psychological assessments were carried out to determine the best interests of the child and any confirmed instances of domestic violence were taken into account in the court's decision. The parents' right of access to the child was denied wherever the child's welfare was considered to be at risk or his or her psychological or moral development was threatened. Nevertheless, those considerations had to be balanced with the right of parents to have access to their children. The children's statements were also taken into consideration within the context of all the facts known to the court, bearing in mind that parents often had a strong influence on their children.

42. No analysis had been conducted of the economic consequences of divorce for both spouses. The independent Human Rights Status Report had yielded no clear results thus far. The Labour Market Service offered advice, support and training to facilitate re-entry into the workforce after career interruptions owing to factors that included separation or divorce. Divorced or separated persons accounted for 33 per cent of those who used the Service.

43. **Ms. Ameline** said that general recommendation No. 29 (2013) was a very useful tool in bringing to light discriminatory law provisions that were not obvious at first glance. Eliminating all types of inequality — both de facto and de jure — between civil partners or spouses was of utmost importance.

44. **Mr. Frick** (Liechtenstein) said that the delegation was grateful for the constructive dialogue and looked forward to receiving the Committee's concluding observations, which had been and continued to be a powerful tool to stimulate debate and bring about change for the better.

The meeting rose at 4.35 p.m.